THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.5597 OF 2006

ORAL ORDER:

This writ petition is filed seeking a declaration that the proceedings of the 1st respondent dated 1.3.2006, in superseding the Managing committee of the Toddy Tappers Co-operative Society, Macharla, and appointing the 2nd respondent, as the person-in-charge of the Society, is arbitrary and illegal.

A perusal of the impugned proceedings shows that a notice was issued to the society as well as the individual members under Section 34(1) of the A.P. Co-operative Societies Act, 1964 (for short "the Act"), calling upon them to show cause as to why the Managing Committee of the society shall not be superseded, and having found that the explanation offered by them was not satisfactory, while superseding the Managing committee under Section 32(7) of the Act, a person-in-charge was appointed to manage the affairs of the society.

Against the aid order, an appeal is maintainable under Section 76 of the Act to the Tribunal. Since the petitioners failed to exhaust the efficacious alternative remedy of appeal available under the Act, and particularly, keeping in view that the order was passed long back on 1.3.2005, I am not inclined to entertain the writ petition.

Accordingly, the writ petition is dismissed. However, liberty is granted to the petitioners to work out the remedy of appeal available under the Act. If any such appeal is preferred within two weeks from the date of receipt of a copy of this order, the same be entertained and

appropriate orders be passed in accordance with law. No costs.

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(G. ROHINI, J.)

21st June, 2006.

Kgr

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.5597 OF 2006

21st June, 2006.

Between:

Maakapothula China Edukondalu and others. ..

Petitioners.

And

The Prohibition and Excise Superintendent –
cum-The Registrar for Toddy Tappers Co-operative
Society, Narasaraopet, Guntur district and two others. ..
Respondents.